Appendix R

Environmental Checklist Form

Environmental Checklist Form

1. **Project title**: Total Maximum Daily Loads for Indicator Bacteria, Project I – Beaches and Creeks in the San Diego Region.

2. **Lead agency name and address**:
California Regional Water Quality Control Board, San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123

3. **Contact person and phone number**:
Christina Arias
(858) 627-3931

4. **Project location**:
Coastal Watersheds within the San Diego Region extending from the Laguna watershed south to Chollas Creek watershed.

5. **Project sponsor's name and address**:
California Regional Water Quality Control Board, San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123

6. General plan designation: NA

7. Zoning: NA

8. **Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)**
This project establishes total maximum daily loads (TMDLs) for indicator bacteria for impaired beaches and creeks in the San Diego Region designated as water quality limited segments pursuant to section 303(d) of the federal Clean Water Act. This project excludes beaches downstream of or adjacent to coastal lagoons, and along the shorelines of San Diego Bay, Mission Bay, and Dana Point Harbor. The project establishes the loading capacity (expressed as a total maximum daily load) of impaired creeks, and unimpaired creeks tributary to impaired beaches for fecal coliform, total coliform, and enterococci bacteria, and assigns load and wasteload allocations to the different discharges of bacteria to creeks and beaches, including municipal stormwater conveyance facilities, Caltrans stormwater conveyance facilities, and agricultural and animal feeding facilities. The San Diego Water Board will amend the Basin Plan to include TMDLs for fecal coliform, total coliform, and enterococci bacteria, an Implementation Plan for attaining the TMDLs, and a schedule of compliance for achieving load and wasteload reductions in the watersheds.

9. **Surrounding land uses and setting: Briefly describe the project's surroundings**:
The watersheds addressed in this project are in Orange and San Diego County. All of the waterways flow to the Pacific Ocean with the exception of Chollas Creek, which flows to San Diego Bay. The land uses in the watersheds are highly variable. Coastline areas contain highly concentrated urban and residential land uses. Inland areas primarily consist of open space with some agricultural/livestock land uses.

10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement)**:
State Water Resources Control Board, Office of Administrative Law
U.S. Environmental Protection Agency

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☑ Aesthetics	☐ Agriculture Resources	☑ Air Quality
☑ Biological Resources	☐ Cultural Resources	☐ Geology /Soils
☐ Hazards & Hazardous Materials	☑ Hydrology / Water Quality	☐ Land Use / Planning
☐ Mineral Resources	☑ Noise	☐ Population / Housing
☐ Public Services	☐ Recreation	☐ Transportation/Traffic
☐ Utilities / Service Systems	☐ Mandatory Findings of Significance	

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA

process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

a) Earlier Analysis Used. Identify and state where they are available for review.

b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

a) the significance criteria or threshold, if any, used to evaluate each question; and

b) the mitigation measure identified, if any, to reduce the impact to less than significance

IMPACT	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
I. AESTHETICS – Would the Project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☒	☐	☐
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒
II. AGRICULTURE RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the Project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide importance	☐	☐	☐	☒

IMPACT	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
(Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒
III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control the District may be relied upon to make the following determinations. Would the Project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☒
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒
IV. BIOLOGICAL RESOURCES – Would the Project:				
a) Have a substantial adverse effect, either directly, or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulators, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife	☐	☐	☐	☒

IMPACT	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒
V. CULTURAL RESOURCES – Would the Project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒
c) Directly or indirectly destroy a unique paleontological resource of site or unique geological feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒
VI. GEOLOGY AND SOILS – Would the Project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	☒
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
Iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
VII. HAZARDS AND HAZARDOUS MATERIALS – Would the Project:				
a) Create a significant hazard to the public or	☐	☐	☐	☒

IMPACT	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
the environment through the routine transport, use, or disposal of hazardous materials?				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard for people residing or working in the Project area?	☐	☐	☐	☒
f) For a Project within the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or working in the Project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒
VIII. HYDROLOGY AND WATER QUALITY – Would the Project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐

IMPACT	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which results in flooding on- or off-site?	☐	☐	☐	☒
e) Create or contribute runoff water which exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒
IX. LAND USE AND PLANNING – Would the Project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒
X. MINERAL RESOURCES – Would the Project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒
XI. NOISE – Would the Project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒

IMPACT	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c) A substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?	☐	☐	☒	☐
d) A substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project?	☐	☒	☐	☐
e) For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?	☐	☐	☐	☒
f) For a Project within the vicinity of a private airstrip, would the Project expose people residing or working in the Project area to excessive noise levels?	☐	☐	☐	☒
XII. POPULATION AND HOUSING – Would the Project?				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
XIII. PUBLIC SERVICES				
a) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	☐	☐	☐	☒
Police protection?	☐	☐	☐	☒
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒
XIV. RECREATION				
a) Would the Project increase the use of	☐	☐	☐	☒

IMPACT	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				
b) Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒
XV. TRANSPORTATION/TRAFFIC – Would the Project:				
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio to roads, or congestion at intersections?	☐	☐	☐	☒
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion/management agency for designated roads or highways?	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Result in inadequate parking capacity?	☐	☐	☐	☒
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒
XVI. UTILITIES AND SERVICE SYSTEMS – Would the Project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☒	☐	☐
d) Have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒

IMPACT	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
e) Result in a determination by the wastewater treatment provider, which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒
XVII. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number of restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒
b) Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects)?	☐	☐	☐	☒
c) Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

Discussion of Possible Environmental Impacts and Appropriate Mitigation Measures

Depending on the controls chosen to meet the wasteload reductions of the TMDL, the project may result in potential adverse environmental impacts unless mitigation is incorporated into the structural control. Adverse environmental impacts are associated with the construction and operation of structural, treatment controls rather than non-structural, source controls for urban stormwater. Potentially significant impacts and mitigation associated with treatment controls that might be implemented are discussed below. Keep in mind that the TMDL Basin Plan amendment does not specify the controls to be implemented by the dischargers, but rather, allows the dischargers to select controls to meat wasteload reductions of indicator bacteria.

Part I. Aesthetics
Question (c) – Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

Answered " Potentially Significant Unless Mitigation Incorporation "

Depending on the controls chosen, the project may result in the installation of urban runoff storage, diversion, or treatment facilities and other structural controls that could be aesthetically offensive if not properly designed, sited, and maintained. Many structural controls can be designed to provide habitat, recreational areas, and green spaces in addition to improving urban runoff water quality. In-creek diversions should not be used as controls, therefore, there should be no adverse impacts on aesthetics resulting from construction of concrete-lined basins or treatment facilities within creeks.

Part III. Air Quality
Question (d) – Would the project expose sensitive receptors to substantial pollutant concentrations?

Answered "Potentially Significant Unless Mitigation Incorporation "

The construction of structural controls might adversely affect air quality because construction might require the use of diesel fuel engines to operate equipment. Potential impacts are likely to be limited and mostly short-term in nature. Impacts may be mitigated through measures such as limiting hours and amount of construction, eliminating excessive idling when vehicles are not in use, limiting construction during periods of poor air quality, and/or using alternative fuel vehicles rather than diesel fuel vehicles. Any impacts to air quality, both short-term and long-term, would be subject to regulation by the appropriate air pollution control agencies under a separate process.

Part IV. Biological Resources
Question (a) – Would the project have a substantial adverse effect, either directly, or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulators, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Answered " Potentially Significant Unless Mitigation Incorporation "

Depending on the controls chosen, the project could result in the installation of urban runoff storage, diversion, or treatment facilities and other structural controls that could change the hydrologic flow regime of the creeks by diverting urban runoff for treatment and disposal. This may have unforeseen consequences on endangered species dependant on the current flow regime of the creeks. Mitigation to lessen any such impacts may involve returning treated urban runoff to the creeks at appropriate temperature and flow velocity to maintain the creek's flow regime for the benefit of endangered species and their habitat.

Potential adverse impacts may result from the use of treatment control controls that increase the likelihood of vectors and pests. Constructed basins and vegetated swales may develop locations of pooled standing water that would increase the likelihood of mosquito breeding. Mitigation may involve the prevention of standing water through the construction and maintenance of appropriate drainage slopes and through the use of aeration pumps.[1] Mitigation for vectors and pests should involve the use of appropriate vector and pest control strategies and maintenance such as frequent inspections to prevent adverse environmental impacts.

Certain types of treatment controls, such as infiltration trenches and infiltration basins, may result in the accumulation of pollutants, such as dissolved metals, to potentially hazardous levels which can lead to contamination of groundwater. Mitigation may involve regular inspection, monitoring, and maintenance including disposal of waste at appropriate landfills, when necessary.

Potential adverse environmental impacts could also result from the introduction and /or establishment of invasive species in wet ponds and bioretention controls. Vegetation should be chosen to help reduce or eliminate this possibility and the controls should be maintained and inspected routinely to identify the establishment of any potentially invasive species.

Question (b) – Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

Answered " Potentially Significant Unless Mitigation Incorporation "

See answer to *Part IV, question (a)* above.

Part VIII. Hydrology and Water Quality

Question (c) – Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

Answered " Less Than Significant Impact "

Depending on the controls chosen, the project could result in the installation of urban runoff storage, diversion, or treatment facilities and other structural controls that could change the hydrologic flow regime of the creeks by diverting storm flows for treatment and disposal. Diversion of storm flows could alter the sediment carrying capacity of the creeks resulting in siltation of the creek beds and a decrease in the deposition of sediment on the beaches. This impact is likely to be less than significant because diversion of the entire stormflow of a creek is not required to meet the wasteload allocations.

[1] *http://www.cabmphandbooks.com/Municipal.asp*

Part XI. Noise
Question (c) – Would the project result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?

Answered " Less Than Significant Impact "

Increased noise resulting from operation of permanent pumps used to control vectors or for the transport of water for treatment are not likely to be significant, but could be mitigated through engineering controls such as through insulation of pumps.

Question (d) – Would the project result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project?

Answered " Potentially Significant Unless Mitigation Incorporation "

Depending on the controls chosen, the project may result in increases in existing noise levels, especially in the case of construction of urban runoff storage, diversion, or treatment facilities. Increased noise levels directly resulting from construction should be limited and short-term, and may be mitigated through restricted or limited hours of construction

Part XVI. Utilities and Service Systems
Question (c) – Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Answered " Potentially Significant Unless Mitigation Incorporation "

The project may result in the need to retrofit or re-configure existing storm water drainage facilities. It may also result in the construction of new storm water drainage facilities. The potentially significant environmental impacts associated with the construction and operation of new storm water drainage facilities are the same impacts discussed in the preceding answers.

In conclusion, implementation measures have to be chosen to reduce pollutant loading to lagoons and adjacent beaches and creeks but efforts should be aimed at source control controls before treatment controls are considered. Treatment controls have a greater potential for adverse environmental impacts. Appropriate mitigation including frequent inspection and maintenance should be incorporated to reduce or eliminate any adverse environmental impacts.

Part XVII. Determination
In preparing the CEQA substitute documents for this project, the San Diego Water Board has considered the requirements of Public Resources Code section 21159 and California Code of Regulations, title 14, section 15187, and intends the substitute documents to serve as a tier 1 environmental review. Nearly all of the compliance obligations will be undertaken by public agencies that will have their own obligations under CEQA. Project

level impacts will need to be considered in any subsequent environmental analysis performed by other public agencies, pursuant to Public Resources Code section 21159.2. If not properly mitigated at the project level, there could be adverse environmental impacts. The substitute documents for this TMDL, and in particular the Environmental Checklist, identify broad mitigation approaches that should be considered at the project level. Consistent with CEQA, the substitute documents do not engage in speculation or conjecture and only consider the reasonably foreseeable environmental impacts of the methods of compliance, the reasonably foreseeable feasible mitigation measures, and the reasonably foreseeable alternative means of compliance, which would avoid or eliminate the identified impacts.

On the basis of the initial evaluation and Technical Report for the TMDLs, which collectively provide the required information:

☐ I find the proposed Basin Plan amendment could not have a significant effect on the environment.

☑ I find that the proposed Basin Plan amendment may have a significant adverse effect on the environment. However, there are feasible alternatives and/or feasible mitigation measures that would substantially lessen any significant adverse impacts. These alternatives are discussed above.

☐ I find the proposed Basin Plan amendment may have a significant effect on the environment. There are no feasible alternatives and/or feasible mitigation measures available which would substantially lessen any significant adverse impacts. See the attached written report for a discussion of this determination.

John H. Robertus
Executive Officer

Date